

1 (counsel of record on following page)

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UNITED STATES DISTRICT COURT

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EASTERN DISTRICT OF CALIFORNIA- SACREMENTO DIVISION

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EFREN LINARES, individually, and on
behalf of all others similarly situated, and on
behalf of the State of California and
aggrieved employees pursuant to the Private
Attorneys General Act,

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Plaintiff,

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vs.

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ABM INDUSTRY GROUPS, LLC.,
FLOWERS BAKING CO. OF MODESTO,
LLC., and DOES 1 through 50, inclusive;

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Defendants.

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Case No.: 1:22-cv-00816-TLN-CKD

CLASS ACTION

**JOINT STIPULATION AND ORDER TO
ADJUST SCHEDULING ORDER**

*Before the Honorable Troy L. Nunley and Carolyn
K. Delaney*

Complaint filed: July 1, 2022

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33 AND FLOWERS BAKING CO.
34 OF MODESTO, LLC

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JOINT STIPULATION

1 Plaintiff EFREN LINARES and Defendants ABM INDUSTRY GROUPS, LLC and
 2 FLOWERS BAKING CO. OF MODESTO, LLC (together, "Defendants") (Plaintiff and Defendants
 3 collectively referred to as the "Parties"), through their respective attorneys of record, hereby
 4 stipulate and agree as follows:

5 WHEREAS, this matter is a putative class, collective, and Private Attorneys General Act
 6 ("PAGA") action based primarily upon Plaintiff's allegations that Defendants fail to pay overtime
 7 wages at the regular rate of pay.

8 WHEREAS, Plaintiff filed his Motion for Class Certification on December 16, 2024 (ECF
 No. 44);

9 WHEREAS, the Parties previously stipulated to, and this Court approved, three extensions
 10 on Defendants' deadline to file their Opposition to Class Certification (ECF Nos. 46, 48 and 51);

11 WHEREAS, the Parties previously stipulated to and the Court approved extensions of
 12 Plaintiffs' deadline to file their Opposition to Class Certification (ECF Nos. 46, 48 and 51);

13 WHEREAS, Plaintiff's Reply Brief is currently due on May 5, 2025;

14 WHEREAS, the Parties agree that, based on the previous extensions granted to Defendants,
 15 Plaintiff be granted a two-week extension to file his Reply Brief, until May 19, 2025;

16 WHEREAS, the Court recently vacated the hearing on the Motion for Class Certification
 (ECF No. 50);

17 WHEREFOR, pursuant to the Parties' agreement and this stipulation, the Parties ask the
 18 Court to adjust the Scheduling Order as follows: That the deadline to file Plaintiff's Reply Brief be
 19 continued from May 5, 2025 to May 19, 2025.

20 **IT IS SO STIPULATED.**

21 DATED: May 2, 2025

By: /s/ Stan Mallison
 Stan Mallison
 Hector Martinez
 Cody Bolce
 Gonzalo Quezada Jr.
 Attorneys for Plaintiff

22 DATED: May 2, 2025

By: /s/ Alexander Chemers
 Alexander Chemers
 Paul M. Smith
 Attorneys for Defendants

ORDER

The Court, having reviewed the foregoing stipulation, and good cause appearing, hereby
ORDERS as follows:

The Court's Class Action Scheduling Order issued on January 23, 2024 (ECF No. 36) is hereby adjusted as follows:

1. Plaintiff's Reply Brief in support of Class Certification is due by May 19, 2025 (previously May 5, 2025).

IT IS SO ORDERED.


Troy L. Nunley

Dated: May 2, 2025

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